

103^D CONGRESS
1ST SESSION

H. R. 1419

To authorize research and evaluation programs for monitoring, detecting, and abating lead based paint and other lead exposure hazards in housing, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 1993

Mrs. MORELLA (for herself and Mr. LEWIS of Florida) introduced the following bill; which was referred jointly to the Committees on Science, Space, and Technology and Energy and Commerce

A BILL

To authorize research and evaluation programs for monitoring, detecting, and abating lead based paint and other lead exposure hazards in housing, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 The Congress finds that—

5 (1) lead is a naturally occurring element which
6 has been used in a variety of industrial applications
7 including radiation shields, storage batteries, paint,
8 and gasoline;

1 (2) 1 in 6 United States children are victims of
2 lead poisoning, according to the Agency for Toxic
3 Substances and Disease Registry;

4 (3) lead poses a significant environmental
5 health problem since adverse effects have been con-
6 clusively demonstrated at relatively low exposures;

7 (4) lead exposures to children under age 7 are
8 of greatest concern because of its association with
9 significant neurotoxic effects, including reduction in
10 intelligence, attention span deficits, and reading and
11 learning disabilities;

12 (5) the quantity of lead in house dust appears
13 to be the best single indicator of lead levels in the
14 blood of an infant;

15 (6) past efforts to abate lead-based paint have
16 relied on methods which endangered workers and
17 often resulted in more available lead dust for the oc-
18 cupants;

19 (7) improving methods for testing and abating
20 lead-based paint offers a highly cost effective means
21 of reducing exposures and thus preventing childhood
22 lead poisoning; and

23 (8) the efforts of the Federal Government to
24 develop and disseminate information on the most ef-

1 fective techniques to lower human exposure to lead
2 should be improved.

3 **SEC. 2. DETECTION TECHNOLOGIES.**

4 (a) EMERGING TECHNOLOGIES RESEARCH.—The
5 Administrator of the Environmental Protection Agency, in
6 consultation with the heads of other appropriate Federal
7 agencies, shall develop methods for conducting evaluations
8 of lead detection products and techniques. The Adminis-
9 trator shall make available to the public the results of any
10 evaluations conducted by such methods as the results of
11 the evaluations become available.

12 (b) STANDARDIZATION.—Within 2 years after the
13 date of the enactment of this Act, the Director of the Na-
14 tional Institute of Standards and Technology, in consulta-
15 tion with the Administrator of the Environmental Protec-
16 tion Agency, shall establish protocols, criteria, and mini-
17 mum performance standards to be used in the evaluations
18 described in subsection (a) and to ensure reliable, accu-
19 rate, and effective lead detection technologies.

20 **SEC. 3. LEAD EXPOSURE IN CHILDREN.**

21 The Administrator of the Environmental Protection
22 Agency, in consultation with the heads of other appro-
23 priate Federal agencies, shall conduct a long-term re-
24 search study to establish the sources of lead exposure for

1 children under the age of seven years. The research shall,
2 to the greatest extent possible—

3 (1) establish profiles for the percentage of such
4 children who have an exposure to a particular lead
5 source (such as lead-based paint and dust from lead-
6 based paint), and the particular route of such expo-
7 sure (such as drinking water, food, air, and soil);

8 (2) establish the percentage of each particular
9 kind of exposure and route of exposure described in
10 paragraph (1); and

11 (3) be broken down by region, economic strata,
12 and any other demographic feature the Adminis-
13 trator considers to be appropriate.

14 **SEC. 4. RESEARCH ON ABATEMENT AND IN-PLACE MAN-**
15 **AGEMENT TECHNIQUES.**

16 The Director of the National Institute of Standards
17 and Technology, in consultation with the Administrator of
18 the Environmental Protection Agency and the heads of
19 other appropriate Federal agencies, shall carry out re-
20 search studies to evaluate which practices and techniques
21 are most effective in reducing human exposure to lead.
22 The research studies shall emphasize the development of
23 new technologies and shall address the cost effectiveness
24 of such practices and techniques. The Administrator shall

1 make available to the public the results of such studies
2 as the results become available.

3 **SEC. 5. LEAD REMOVAL AND CONTAINMENT PRODUCTS.**

4 (a) RESEARCH.—The Director of the National Insti-
5 tute of Standards and Technology, in consultation with
6 the Administrator of the Environmental Protection Agen-
7 cy and the heads of other appropriate Federal agencies,
8 shall conduct research on the safety, efficacy, durability,
9 and other relevant performance properties of lead removal
10 and containment products.

11 (b) STANDARDIZATION.—Within 24 months after the
12 date of enactment of this Act, the Director of the National
13 Institute of Standards and Technology shall establish per-
14 formance criteria and standards for lead removal and con-
15 tainment products.

16 **SEC. 6. PUBLIC EDUCATION.**

17 The Administrator of the Environmental Protection
18 Agency, in cooperation with other appropriate Federal
19 agencies, shall sponsor public education and outreach ef-
20 forts to increase awareness of the scope, severity, and
21 sources of lead exposure. The Administrator shall focus
22 such public education and efforts in a manner which pro-
23 vides, to the greatest extent possible, information to the
24 children for whom profiles are established in section 3

1 about the particular kind and route of lead exposure of
2 such children.

3 **SEC. 7. USE OF CLEARINGHOUSE AND TELEPHONE HOT-**
4 **LINE.**

5 The Administrator of the Environmental Protection
6 Agency shall ensure that any information which is made
7 available to the public pursuant to this Act is made avail-
8 able through the clearinghouse and hotline established
9 pursuant to section 405(e) of the Toxic Control Sub-
10 stances Act (15 U.S.C. 2601 et seq.) in addition to any
11 other means of availability the Administrator considers to
12 be appropriate.

13 **SEC. 8. STATE PROGRAMS.**

14 (a) GRANT ASSISTANCE.—The Governor of a State
15 may apply to the Administrator of the Environmental Pro-
16 tection Agency for a grant to compile (particularly
17 through the use of questionnaires) data on lead exposure
18 in the State, to coordinate with other States the collection
19 of such data in order to build a national data base on
20 lead exposure, and to carry out public outreach programs
21 on lead exposure.

22 (b) GRANT MANAGEMENT.—

23 (1) CRITERIA FOR SELECTION.—In selecting
24 States for grants under subsection (a) the Adminis-
25 trator shall review—

1 (A) the previous experience of the State in
2 addressing lead exposure and lead exposure
3 data collection issues;

4 (B) the seriousness of the lead exposure is-
5 sues identified by the State; and

6 (C) the State standards for techniques and
7 practices to reduce human exposure to lead.

8 (2) AVAILABILITY OF SUFFICIENT FUNDING.—
9 In selecting States for grants under subsection (a),
10 the Administrator shall focus resources to ensure
11 that sufficient funds are available to selected States
12 to provide for comprehensive collection and coordina-
13 tion of lead exposure data and for sufficient public
14 outreach programs.

15 (3) FEDERAL SHARE OF FUNDING.—The Fed-
16 eral share of grants under subsection (a) shall not
17 exceed 75 percent of the costs incurred by the State
18 to carry out the activities described in such sub-
19 section and shall be made on the condition that the
20 non-Federal share is provided from non-Federal
21 funds.

22 (4) AVAILABILITY OF FUNDS.—Funds granted
23 pursuant to subsection (a) in a fiscal year shall re-
24 main available for obligation for that fiscal year and
25 for the next following fiscal year.

1 (5) LIMITATION ON RECEIPT OF GRANT IN FOL-
2 LOWING YEAR.—No grant shall be made under this
3 section in any fiscal year to a State which in the
4 preceding year received a grant under this section
5 unless the Administrator determines that such State
6 satisfactorily implemented such grant activities in
7 such preceding fiscal year.

8 (6) INFORMATION REQUIRED IN GRANT APPLI-
9 CATION.—States shall provide such information in
10 applications for grant assistance and pertaining to
11 grant funded activities as the Administrator re-
12 quires.

13 (c) COORDINATION.—In carrying out this section, the
14 Administrator shall coordinate with the Director of the
15 National Institute of Standards and Technology.

16 **SEC. 9. REPORTS.**

17 Not later than 24 months after the date of the enact-
18 ment of this Act, the Director of the National Institute
19 of Standards and Technology and the Administrator of the
20 Environmental Protection Agency shall jointly submit to
21 the Congress an initial report detailing the activities un-
22 dertaken by the Director and the Administrator pursuant
23 to this Act, including the results of studies conducted pur-
24 suant to this Act and any recommendations for adminis-
25 trative and legislative action that the Director and the Ad-

1 ministrator consider appropriate. After submission of the
2 initial report, the Director and the Administrator shall
3 submit to the Congress an update of the initial report as
4 often as the Director and the Administrator consider nec-
5 essary.

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